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March 7, 2012

Hon. Eric N. Vitaliano
United States District Judge
United States Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Domenico Cutaia
10-Cr-0010 (ENV)

Dear Judge Vitaliano:

I represent Domenico Cutaia who is scheduled to be sentenced on March 16, 2012 at 11AM. I write, with the consent of AUSA Rachel Nash, to respectfully request an adjournment of the sentence to Friday, June 1, 2012, if possible. Both AUSA Nash and I have separate trials scheduled for June 4, 2012.

The reasons for my request are: (1) I have been on trial in a multi-defendant, 31 count indictment in the Supreme Court of Nassau County and, frankly, I am strapped for time and energy and have not focused on Mr. Cutaia's sentencing submission, (2) I sent the PSR to my client at FMC Rochester, Minnesota and I believe he was able to sign for it at the facility, but, I am told that he was not given it to read and I have not heard from him since the PSR was transmitted, and (3) Mrs. Cutaia, his wife, told me today that my client is sending her all of his medical records from the facility, which when she receives them, will be forwarded to me to consider incorporating the materials in my sentencing submission.

Thank you for your consideration.

Respectfully,

Michael Rosen
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MR:wp

